

CUSTOMER NO.: 24498
Ser. No.10/518,999
Date of Office Action: 12/05/07
Response dated: 04/07/08

PATENT
PU020319

Remarks/Arguments

35 U.S.C. §103

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau et al. (U.S. Patent No. 5,565,909), in view of Manson (U.S. Patent No. 6,543,051).

The present invention, as recited in currently amended claim 1, teaches, a method for controlling a television signal receiver having an emergency alert function, comprising: receiving an input representing a geographical area; providing a masked list of emergency events selectable by the user of the television signal receiver responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area; and setting the masked events for default notification.

Thibadeau describes location specific messages or programming that are generally broadcast and selectively filtered by user terminals which have encoded one or more arbitrary locations of interest. The area surrounding a user, a remote location, a route to be traveled or the like may be selected for receipt of local warnings, local commercial messages, and the like. A set-top receiver being a preferably tunable apparatus capable of receiving digital information transmitted by a variety of means. Transmitted messages contain information targeted to geographical groups of users, with location designation coding accompanying location-specific messages. A geographical location selection code is entered into a data processor coupled to the user's receiver to define the user's selected location(s) of interest. (Thibadeau Abstract)

The Office Action asserts that Thibadeau "discloses a method for controlling a television signal receiver (see col. 3, lines 42-45) having an emergency alert function (see col. 4, lines 4-8). Thibadeau also discloses receiving an input representing a geographical area; and processing a masked list of emergency events responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function (see col. 4, lines 39-56)." (Office Action, page 2)

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The Office Action admits that Thibadeau "fails to teach setting the masked events for default notification and excluding masked events associated with the input geographical area." (Office Action, page 2)

Therefore, for at least the reason described in the admission of the Office Action, Thibadeau fails to disclose "receiving an input representing a geographical area; providing a masked list of emergency events selectable by the user of the television receiver responsive to the input, ... and setting the masked events for default notification" as described in amended claim 1.

Manson describes a "system for inputting conventional emergency alert messages into a digital subscriber television system. The method allows existing emergency alert equipment to interface with the digital system equipment in the headend of a digital subscriber television system. A unique identifier and the format of the digital emergency alert message allow the input of an emergency alert message and allow for a wide variety of optional data formats, system control options, and data storage options." (Manson Abstract)

The Office Action asserts that Manson discloses an emergency alert system which includes national events which do not require a geographic code (column 5, line 65-column 6, line 2, all counties, column 7, lines 30-35, national messages corresponding to an event code and not a national code) and the messages can be converted into a format so they are forced to be displayed to the user (column 4, lines 17-22), ensuring that a user would see an important message. The Examiner notes that, it is well known in the art that national messages are rare events which would be of extreme urgency to a user, such as outbreaks of war, pandemics etc." (Office Action, page 3)

Manson is concerned with the insertion of messages into the overall television distribution infrastructure, not with user configuration of which messages will actually be displayed at that user's television signal receiver, as is the case with the present invention. Specifically, Manson does not describe providing a masked list of emergency events selectable by the user of the television signal receiver, as it is concerned with the operator of the television distribution system, not the users of the receiver devices.

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The first section of Manson cited by the Office Action, column 5, line 65 – column 6, line 2) describes a message field for specification of the number of counties to which an emergency message is applicable, with a value of "00" signifying all counties. The passage does not describe providing a masked list of emergency events to a user of a television signal receiver. Instead, it describes a portion of a data structure that could be populated by the operator of a television distribution system. Similarly, column 7, lines 30-35, cited by Examiner, describe event codes a television distribution system operator could use to indicate an event has national significance, but does not describe presentation of a masked list of events for selection by a user of a television signal receiver. Finally, column 4, lines 17-22 state "Once input into the digital subscriber television system, the EAS message must be integrated with the other digital information and transmitted to the subscribers. If necessary, the digital subscriber television system can reformat the entire EAS 20 message in a system specific digital format for delivery to the digital HCT, which will cause the message to be displayed and heard on the subscriber television." This passage also describes insertion of messages into the television distribution system, not presentation of a list for selection by the user of the television signal receiver. Further, this passage implies that the operator of the television distribution system has control over whether the message will be displayed and heard. The thrust of the present invention is to specifically provide user control for at least a subset of events (i.e., those which are not masked).

Therefore, Manson, like Thibadeau, fails to disclose "receiving an input representing a geographical area; providing a masked list of emergency events selectable by the user of the television signal receiver responsive to the input, ... and setting the masked events for default notification" as described in present claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Thibadeau or Manson, alone or in combination, that makes the present invention as claimed in claim 1 unpatentable. It is further submitted that independent claims 8 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7, 9-14, and 16-20 are dependent from allowable independent claims 1, 8, and 15 respectively, it is submitted that they too are

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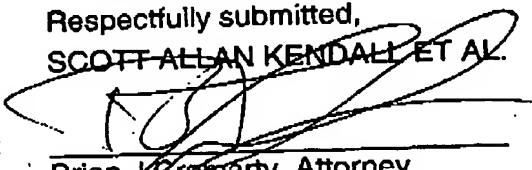
allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Please charge the \$120 fee for the one month extension, and any other fee that may be due to Deposit Account No. 07-0832.

Respectfully submitted,
SCOTT ALLAN KENDALL ET AL.

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